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Gregory Bryan, John Faulkner,  
Cornelius Finley, Mary Manalastas, Julie Matousek,  
Michael Minev, Gary Piccinini, Arianna Rhynard,  
Jonathan Weber and Brian Williams*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DAVID A. HANO,

Plaintiff,

v.

STATE OF NEVADA, EX REL NEVADA  
DEPARTMENT OF CORRECTIONS, *et*  
*al.*,

Defendants.

Case No. 2:19-cv-02246-GMN-EJY

**JOINT REQUEST FOR A  
SETTLEMENT CONFERENCE AND  
MOTION TO EXTEND DISPOSITIVE  
MOTION DEADLINE**

**[FIRST REQUEST]**

Plaintiff David Hano and Defendants Jeremy Bean, Gregory Bryan, John Faulkner, Cornelius Finley, Mary Manalastas, Julie Matousek, Michael Minev, Gary Piccinini, Arianna Rhynard, Jonathan Weber, and Brian Williams, by and through their respective counsels hereby submit their Joint Request for A Settlement Conference and Motion To Extend Dispositive Motion Deadline. This is the first request to extend the dispositive motion deadline.

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**MEMORANDUM OF POINTS AND AUTHORITIES****I. PROCEDURAL HISTORY**

This is an offender civil rights matter. Plaintiff David Hano (Hano) is an offender who was formerly in custody of the Nevada Department of Corrections (NDOC) at High Desert State Prison (HDSP). See ECF No. 23. Hano is suing Defendants for alleged violations of his rights under the Eighth Amendment of the US Constitution. ECF No. 213.

Discovery in the matter closed on November 4, 2024. ECF No. 222. The current deadline for dispositive motions is November 27, 2024. *Id.*

**II. ARGUMENT****A. Request for a Settlement Conference**

After the parties completed discovery, counsel for both parties agreed that they believe a settlement conference would likely help resolve this case in its entirety. Hano is no longer in the custody of NDOC and currently resides in Oklahoma and would request that any settlement conference be conducted via zoom or some other electronic platform. Defendants do not oppose this request.

Defendants request that if this court approves and orders a settlement conference that this Court exercise its discretion and excuse the attendance of the individually named defendants from the conference. Defendants will ensure that the settlement conference is attended by individuals on behalf of Defendants who have settlement authority. Further, Defendants believe that excusing the individual Defendant's from attendance would help further the settlement discussions and allow a more fruitful and quicker discussion. Hano indicates that he does not oppose such a request.

The parties also discussed the timeline for the settlement conference and are in agreement that they are open to whatever time the Court sets this matter since there are no urgent matters that would require an expedited conference in this case.

**B. Request to Extend Dispositive motion Deadline**

Pursuant to Fed. R. Civ. P. 6(b), the "court may, for good cause, extend the time . . . with or without motion or notice . . . if a request is made, before the original time or its

1 extension expires.” Under Local Rule 26-3, “[a] motion or stipulation to extend any date set  
2 by the discovery plan, scheduling order, or other order must ... be supported by a showing  
3 of good cause for the extension.” In addition, “[a] request made within 21 days of the subject  
4 deadline must be supported by a showing of good cause.” Local Rule 26-3

5 The parties are seeking an extension of time to file their dispositive motions to 30  
6 days after a settlement conference is completed. The parties believe that a settlement  
7 conference would likely lead to a result that would resolve the case in its entirety and it  
8 would be in the interest of judicial economy under Fed. R. Civ. P 1 to wait to file the  
9 dispositive motions until after the judicial settlement conference.

10 Accordingly, the parties respectfully request that the extension be granted for good  
11 cause shown. *See Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1260, (9th Cir. 2010)  
12 (holding that the “district court abused its discretion in denying party’s timely motion” to  
13 extend time because the party “demonstrated the ‘good cause’ required by Rule 6, and  
14 because there was no reason to believe that [the party] was acting in bad faith or was  
15 misrepresenting his reasons for asking for the extension”).

### 16 **III. CONCLUSION**

17 Based on the foregoing, and for good cause, Defendants request the entry of an Order  
18 setting a settlement conference that excuses the attendance of the individually named  
19 Defendants. The parties also request an extension of time until 30 days after the completion  
20 of the settlement conference to submit dispositive motions.

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1 **IT IS SO STIPULATED.**

2 DATED this 6th day of November,  
3 2024.

DATED this 6th day of November,  
2024.

4 **CURRIDEN & ASSOCIATES**

AARON D. FORD, Attorney General

5 By: /s/ Alex He

/s/ Nathan M. Claus

6 Alex He, Esq.

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10 *Attorneys for Plaintiff*

*Attorneys for Defendants*

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12 **ORDER**

13 IT IS HEREBY ORDERED that the Joint Request for a Settlement Conference  
14 and Motion to Extend Dispositive Motions Deadline (ECF Nos. 223 and 224) is  
15 GRANTED.

16 IT IS FURTHER ORDERED that a separate Order will issue setting the  
17 settlement conference. The individually named Defendants will not be required to  
18 attend, however Defendants must be represented by parties with full settlement  
19 authority.

20 IT IS FURTHER ORDERED that dispositive motions will be due 30 days after  
21 the settlement conference if the case does not settle.

22   
23 U.S. MAGISTRATE JUDGE

24 Date: November 6, 2024  
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